

Is Alternative Dispute Resolution a second-rate system of backyard justice?

It is an honour to be invited to give the annual Alternative Dispute Resolution (ADR) address of the Supreme Court this year.

My first duty is to acknowledge the Larrakia people whose land I'm presenting on today. I also pay my respects to past, present and emerging Aboriginal leaders across the nation.

I would also like to take this opportunity to thank Ms. Deborah Lockhart, the Chief Executive Officer of the Australian Disputes Centre for organising this year's Alternative Dispute Resolution event under exceptionally challenging circumstances.

I certainly did not contemplate when I was invited to do this address that I would be in an empty court room, with no noise from the audience and no people in seats.

But it shows how things can change so quickly, and if we try, we can adapt and accommodate such change.

I know that it will be hard to follow on from the entertaining and informative presentation given by Chief Justice Grant last year at the inaugural address, but I will try to do my best.

Whilst my presentation today focuses on justice in the Northern Territory (NT) and in particular the experiences in drafting the first Aboriginal Justice Agreement (NTAJA) for the Northern Territory, many of the observations are just as relevant and applicable to Alternative Dispute Resolution across the nation.

Which brings me to the crux and the title of my presentation:

Is Alternative Dispute Resolution a second-rate system of backyard Justice?

The title has come from some in the judiciary who joked that practitioners of Alternative Dispute Resolution should be charged with professional misconduct because they were taking business away from the courts, and food from the mouths of lawyers.¹

This view was presented back in 1993 by the former Chief Justice of Australia, Robert French, who, having had a similar experience with legal practitioners, stated:

*"[Alternative Dispute Resolution practitioners] operated what was regarded by legal elites as a second-rate system of backyard justice."*²

¹ Michael Grant, 'The Interaction Between the Courts and Alternative (or Assisted) Dispute Resolution' (2019) *Australian Disputes Centre Inaugural Northern Territory ADR Address*.

² Robert French, 'Arbitration – The Court's Perspective' (1993) *Australian Dispute Resolution Journal* 279.

Perhaps this is the defensive position held by those who fail to appreciate the benefits of Alternative Dispute Resolution, especially for those who are disadvantaged and vulnerable. For those who do not have access to justice in their backyard.

This is why I argue that it is not only unwise to retain the status quo of litigation and adversarial contestation in the legal arena as the only form of redress, but it is also profoundly unjust.

It is unjust because we have largely failed to address the realities facing Aboriginal Territorians in the justice system.

We need to do things differently. We need to make sure that our approach is different and works to fundamentally address the historic, asymmetric power relations that are still in place today and that continue to shape justice outcomes in the Northern Territory's back yard.

So what do we know about the NT backyard?

Well here in the Northern Territory;

- 30 per cent of our NT population identify as Aboriginal or Torres Strait Islander.³
- The median age of Aboriginal Territorians is 26 years and 30 per cent of the Aboriginal population is aged 0-14 years.⁴
- Almost 76 per cent of Aboriginal people live in remote or very remote areas.⁵
- Sixty per cent of the Aboriginal population speak an Aboriginal language at home⁶.

And in the justice backyard of the Northern Territory?

- We have the highest imprisonment rate of any state or territory in Australia with 943 prisoners per 100,000 adult population compared to the national average of only 219 prisoners per 100,000 adult population.⁷
- Almost 84 per cent of the adult prison population is Aboriginal.⁸
- Almost 100 per cent of youth in detention is Aboriginal.⁹

³ Northern Territory Government, Pathways to the Northern Territory Aboriginal Justice Agreement (2019) 23, <https://justice.nt.gov.au/__data/assets/pdf_file/0009/728163/Pathways-to-the-northern-territory-aboriginal-justice-agreement.pdf>

⁴ Ibid.

⁵ Northern Territory Government, Pathways to the Northern Territory Aboriginal Justice Agreement (2019) 24, <https://justice.nt.gov.au/__data/assets/pdf_file/0009/728163/Pathways-to-the-northern-territory-aboriginal-justice-agreement.pdf>

⁶ Derived from Australian Bureau of Statistics, Census of Population and Housing: Reflecting Australia - Stories from the Census, 2016 - Cultural Diversity (2017), cat. no. 2071.0, table 12.

⁷ ABS, 4517.0 – Prisoners in Australia, 2019

<<https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4517.0~2019~Main%20Features~Prisoner%20characteristics,%20Australia~4>>.

⁸ ABS, 4517.0 – Prisoners in Australia, 2019

<<https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4517.0~2019~Main%20Features~Prisoner%20characteristics,%20Australia~4>>

⁹ Northern Territory Government, Pathways to the Northern Territory Aboriginal Justice Agreement (2019) 34, <https://justice.nt.gov.au/__data/assets/pdf_file/0009/728163/Pathways-to-the-northern-territory-aboriginal-justice-agreement.pdf>

- Aboriginal people make up 75 per cent of all court proceedings and account for 88 per cent of all bail breaches, resulting in many Aboriginal people refused bail, only to be remanded in custody, and when eventually brought before the court are released due to time already served or at times even acquitted without charge.¹⁰
- The most common offence committed by Aboriginal people is 'acts intended to cause injury'.¹¹ Committed more often than not with a victim who is likely to be from the same community, if not from the same family group.

Now you may think I've painted a grim picture, and it sure is; and you may think that relevant parties have ignored or turned a blind eye to the possible need for Alternative Dispute Resolution systems to occupy this space?

But this is not true.

In 1991, a key recommendation of the Royal Commission into Aboriginal Deaths in Custody, was that imprisonment should only be used as a last resort.¹²

Seven years later in 1997, the Northern Territory Law Reform Committee released a report titled, "Alternative Dispute Resolution in Aboriginal Communities" where they made three arguments in favour of an Alternative Dispute Resolution scheme:

1. That Alternative Dispute Resolution schemes may alleviate the disproportionately high levels of Aboriginal contact with the criminal justice system
2. The perception that denying traditional methods of belief is unjust. Particularly when many Aboriginal people have expressed a deep desire for some kind of formal recognition of their customary law
3. Communities are best placed to develop solutions given their knowledge of community dynamics, kinship systems and cultural values.¹³

The report recognised several objections to the implementation of Alternative Dispute Resolution schemes in remote Aboriginal communities, most, which concerned the sacred and secret nature of customary law, stating that it had the potential to deny the protection of women, as well as the accusation of creating "two laws".¹⁴

¹⁰ Northern Territory Government, Pathways to the Northern Territory Aboriginal Justice Agreement (2019) 39 & 43, <https://justice.nt.gov.au/__data/assets/pdf_file/0009/728163/Pathways-to-the-northern-territory-aboriginal-justice-agreement.pdf>

¹¹ Northern Territory Government, Pathways to the Northern Territory Aboriginal Justice Agreement (2019) 43, <https://justice.nt.gov.au/__data/assets/pdf_file/0009/728163/Pathways-to-the-northern-territory-aboriginal-justice-agreement.pdf>

¹² Commonwealth, Royal Commission into Aboriginal Deaths in Custody (1991) *National Report* vol 3, [21.2.30].

¹³ Tony Fitzgerald, Alternative Dispute Resolution in Aboriginal Communities (1997) *Northern Territory Law Reform Commission Report* 17C, 2.

¹⁴ Tony Fitzgerald, Alternative Dispute Resolution in Aboriginal Communities (1997) *Northern Territory Law Reform Commission Report* 17C, 3.

The Committee rejected these objections, critically arguing that,

*“due to the fact such rules apply to all members of the community regardless of Aboriginality, it cannot be said that the creation of such schemes would breach the principle of equality before the law”.*¹⁵

In light of many more recent approaches to alternate diversionary court processes such as Aboriginal circle or specialised courts that operate in southern states for drug, family and domestic violence, or mental health matters, the same view could be argued given that offenders will opt in to be heard in an Alternative Dispute Resolution or community court process rather than the mainstream justice system.

The Northern Territory Law Reform Committee Report then went on to recommend that an *Aboriginal Community Justice Act* be legislated to formalise Alternative Dispute Resolution processes in remote Aboriginal communities across the Northern Territory.

Now remember, it was about a generation ago, where in and beyond Australia, arguments about customary law were poisoned by more universal cultural wars about multiculturalism, racism, history, migration and citizenship.

I would argue that in 2020 given what we now know, surely we can abandon such political shadow-boxing where we acknowledge that any modern system of Alternative Dispute Resolution will specify and limit the range of offences and available orders attached to any community decision-making structure and process? As well as customary law issues pertaining to any dispute or offending, so those charged with adjudication, will apply their understanding of those issues along with the myriad of factors including responsibility, harm, mitigation, and awareness of western law.

To state that the practical challenges of responding to customary law are the ‘business’ of those who inherit, follow and innovate such law, does not mean that appropriate Alternative Dispute Resolution processes are “culture-blind” and that we can or should disregard cultural beliefs and values.

In an important contribution Kahane argues that:

*“[g]eneralisations about cultures are risky given the complexity of memberships and group boundaries, not to mention the power dynamics within and between social groups. But it is important to take the risk: attempts to avoid or transcend culture in resolving disputes pose an even greater danger, of reiterating the understandings of dominant cultural groups under the guise of neutrality”.*¹⁶

I agree in part, but I must reject Kahane’s call for generalisation given the enormous diversity between, and within, Northern Territory Aboriginal people and communities.

This diversity is partly due to what is called intersectionality; that is, the interaction between one’s key Aboriginality and social situation, gender, age, location, sexuality, religion, disability, or ability and other factors.

¹⁵ Northern Territory Law Reform Committee, *Alternative Dispute Resolution in Aboriginal Communities* (1997) Northern Territory Law Reform Commission Report 17C,3 & 4.

¹⁶ David Kahane, ‘Dispute Resolution and the Politics of Cultural Generalization’ (2003) *Negotiation Journal* 19, 5.

Universal generalisations about Aboriginal people living within the Northern Territory are not just inaccurate, they violate our human rights and they have delivered devastating and harmful outcomes.

Without doubt, we all need to be culturally informed when working with Aboriginal people, but we must not be intimidated by the cultural differences that we can or can't see existing between any particular Aboriginal person and others.

Some Aboriginal academics have termed this responsibility "cultural courage", noting that many non-Aboriginal workers seek to avoid taking responsibility for relationship building and effective interventions because they "respect" profound cultural differences.

The responsibility for fixing the core disparity that leads to Aboriginal over-representation in both the jails and the graveyards belongs to everyone. Or at least everyone who gets paid a salary, or whose role directly or indirectly impacts on, or causes Aboriginal peoples pain and disadvantage.

Another key difference with the debate that took place in the 1990s is the recognition that Alternative Dispute Resolution is not only required in remote communities.

That's because all Aboriginal Territorians should, at least in theory, have access to Alternative Dispute Resolution no matter where they reside, so long as they satisfy the eligibility criteria based on the offence or dispute and their own circumstances.

One key driver behind the development of the draft Northern Territory Aboriginal Justice Agreement (NTAJA) is the government's goal to reduce Aboriginal over-representation in prison, partly through the establishment of various diversionary mechanisms and alternatives to prison.

The draft Aboriginal Justice Agreement has three aims:

1. Reduce imprisonment and recidivism rates for Aboriginal Territorians;
2. Engage and support Aboriginal leadership;
3. Improve justice responses and services to Aboriginal Territorians.

In consulting Aboriginal Territorians about their views on the NTAJA, we visited more than 140 communities over 24 months. Sometimes we visited places twice at the community's request.

We listened to, and we heard from, Aboriginal people who told us that they were upset and angry with the continued high levels of disadvantage in their communities or towns.

They told us that over many decades they had talked to many nice and well-meaning people, who had different titles, who came from different places, and yet nothing much had changed in their lives, their children's or their grandchildren's lives.

From what we saw and heard, and with the evidence we collated and from the data analysed, there is no doubt in my mind that as Aboriginal people we have marinated for way too long in the delivery of poor decisions, that has delivered poor outcomes, delivered by poor, unskilled, and inferior practitioners.

To address this entrenched situation, my team and I travelled across the Northern Territory and captured this content, determined not to white wash issues, or sanitise

those views that eventually contributed to the 23 strategies of the draft Aboriginal Justice Agreement, and content for the accompanying Pathways Document.

To capture the breadth and depth of diverse views from Aboriginal people across the Northern Territory, we made sure that we not only listened to the voices of those who spoke the loudest, or from people who had the best grasp of English, or those conveniently sitting in a board room or as members of a peak representative body.

No, we did a lot more. Because we knew we had to.

Instead, we listened and heard from people who had spent their lives in the shadows, the background; people who had been silenced, humiliated and intimidated where their opinions and voices had been ignored or dismissed.

And here's what people told us:

*"We want the chance to determine our own future on our own land, and our place in society."*¹⁷

*"The rules of the community should work to protect and strengthen community but if the rules are being openly disobeyed then the deterrence effect is neutralised and authority begins to erode."*¹⁸

*"Elders need to lead meetings and influence decisions to regain cultural authority."*¹⁹

Now you may ask the question, why did this process work?

It worked because the process we adopted accommodated the realities at play for 30 per cent of the Northern Territory's population.

Where we developed and implemented a process that Aboriginal people are entitled to expect and receive.

A process that all of us who work with Aboriginal people should be striving to design, implement and then deliver on.

We were incredibly impressed with the response from most communities, who despite their experiences; the want for change was present, as too the anguish, witnessed in the faces of the people at our meetings.

Meetings where we met with the sick, the old, the young, the incarcerated, the exceptional role models, the old stockmen and the shiny would-be cowboys; Aboriginal people who were prepared to offer their time and commitment to engage in our process.

¹⁷ NTAJA Consultation Issue No. 382.

¹⁸ NTAJA Consultation Issue No. 783.

¹⁹ NTAJA Consultation Issue No. 783.

I could talk forever on how to do culturally competent consultations, but I won't. Instead, I invite you to study carefully the narratives from these consults in the Pathways document.

So what did the process teach us about the capacity of Alternative Dispute Resolution to address these concerns?

That arbitration and mediation seem to work best when parties have roughly equal resources and there is to some degree an agreed basis for negotiation.

Industrial relations is perhaps a good example.

Some would argue that the Family Court is a less successful one.

Part of the preference for mediation is the belief that, ideally at least, the parties to any settlement own the result rather than having it imposed on them. As Chief Justice Grant has said, ADR is not a system like the courts where the 'winner takes all'.²⁰

Clearly, for many Aboriginal people, interaction with the justice system is very different. Many possess vastly different resources and, in many cases, different comprehension, with the outcomes external, mysterious, and arbitrary.

This is just as true for victims and families as it is for perpetrators.

Consequently, the degree of buy-in, acceptance and compliance remains very low, resulting in high levels of recidivism, higher levels for breaches of bail and other court orders, and low levels of uptake for parole.

Without doubt, this is a powerful argument for vigorously pursuing restorative justice and other forms of Alternative Dispute Resolution processes for Aboriginal people.

I am often asked, what are the particular challenges that need to be recognised and addressed for Alternative Dispute Resolution to be effective in these communities?

One area of concern is the level of competence and access to training for mediation, let alone its capacity to be relevant and effective in any Aboriginal setting.

I question how many accredited mediators are actually skilled with the level of cultural competency necessary to work well with Aboriginal people across the nation?

Are these practitioners sufficiently aware of the complex histories of Aboriginal peoples' relations with bureaucrats and their apparatus?

It is this lack of knowledge that can be as great an impediment to understanding the desired outcome, as is, the lack of English amongst many Aboriginal Territorians.

As you all know, a mediator's role is to identify each party's needs and interests, promote mutual understanding and use techniques to broker a mutually acceptable agreement.

Now I have seen for many years in documents and reports words that are presumed to represent the pinnacle of what is required to deliver the best outcome for Aboriginal people.

²⁰ Michael Grant, 'The Interaction Between the Courts and Alternative (or Assisted) Dispute Resolution' (2019) *Australian Disputes Centre Inaugural Northern Territory ADR Address 4*.

Documents that contain words that change as quickly as the seconds arm on a clock, words like cultural competency, cultural safety, culturally appropriate, collaboration, two-way learning, and many more.

I've worked with many so-called experts or so called specialists, for far too long in this arena.

But here is what I know.

When we asked Aboriginal people across the Northern Territory who the best person they had worked with and got the job done, we were told that the best person was not necessarily Aboriginal.

Instead, it was the qualities, skills and experiences of that person that was relevant.

Factors that are embedded into the term that I mentioned previously, cultural courage, that is, the need to respect others and listen deeply while suspending those assumptions and personal preferences that those with power and privilege routinely hold.

For Aboriginal people, the most important deliverable in any process is accountability; not just to your boss back in town or the city, and not with words in a document or report, but accountability back to the community; to the very people who you have just met, who voluntarily gave you a few hours of their time so you can get your job done.

Accountability includes ensuring that you did your homework and you spoke to the right person or people, so you got the best outcome; not just for the benefit of some, but for all from that community.

To use an analogy; if you are really sick, you just want a doctor or a specialist who knows what they are doing so you receive the right diagnosis, and the best treatment available to get better.

It doesn't matter to you where the doctor was born, what their nationality or visa status is, what language they speak, or where they got their qualifications.

What matters is that you achieved your desired outcome and that the practitioner was held accountable for the outcome, not the intentions or outputs, but the actual outcome.

As we all know, in Alternative Dispute Resolution, the process of mediation has advantages, as often it is affordable, efficient, effective, informal, empowering and confidential.

But what does that actually look like in reality for Aboriginal people in remote communities?

It isn't affordable when you have to travel by air or road that amounts to almost a week's pay to get to a place that guarantees you privacy in order to mediate.

And face to face mediation is far more acceptable and preferable because you actually get to witness the other party's body language. Simply watching a response to a question is more likely to satisfy many Aboriginal people's needs, regardless of the final outcome.

It isn't a fair and equitable playing field if you don't have access to an interpreter to understand the content of the conversation, let alone the ability to provide feedback.

And as for confidentiality, with a small population, in small spaces, there is small town talk. In my experience, very little remains confidential when an official letter is posted with the intention and expectation that it will be collected by the person to whom it is addressed. Only for that letter to be dropped at a central point where it can be collected, opened, read and removed by others. Where phone calls or video link-ups rely on 'other parties' who retain a lingering interest in your confidential conversations.

In many community settings, disputes are often labelled as 'evil' or 'poisonous', just like the problems that give rise to them in that there are no simple or straightforward solutions.

On both 'sides' there are people with multiple, interlocking and often generations-old relationships that make the determination of a party's interest and advocacy of their position extremely complex, with a myriad of 'feedback' mechanisms and unanticipated consequences.

And it is these and other issues that make Alternative Dispute Resolution both very much needed, but also extremely challenging to deliver in Aboriginal communities.

Critically, these challenges mean that to the maximum extent possible the structures, processes, decision and their implementation must be controlled by those who are, or with the most invested, with the best background knowledge, but also those with the most to lose. That is, members of the local community, enabled and supported by government, police, judiciary and other services and agencies.

Alternative Dispute Resolution within the NTAJA.

Two strategies contained within the draft Northern Territory Aboriginal Justice Agreement relevant to Alternative Dispute Resolution are the establishment of Law and Justice Groups and the reintroduction of Community Courts.

Law and Justice Groups

Available research indicates that there is a direct correlation between local Aboriginal leadership and positive community outcomes.

When Aboriginal Territorians are respected, empowered and supported to make decisions, then responses to community safety, law and order and justice issues are more successful and acceptable within those communities.

As noted previously, the 1991 Royal Commission into Aboriginal Deaths in Custody recognised the importance of locally developed community-based justice strategies within a policy of self-determination.

Long ago, Cunneen concluded that:

"In many cases where Aboriginal community justice initiatives have flourished, there have been successes in reducing levels of arrest and detention, as well as improvements in the maintenance of social harmony."

*The success of these programs has been acknowledged as deriving from active Aboriginal community involvement in identifying problems and developing solutions.*²¹

To be successful, community-based Law and Justice Groups are often recommended as a solution. But to be successful, Law and Justice Groups should be established through a process of community-led planning and design, in which, the community determines the way its justice group is to be constituted.

It is not appropriate to make any assumptions about the scope and degree of authority needed to deal with offending behaviour of any particular Law and Justice Group, certainly not prior to the community-based planning process.

Nor will every community be ready and able to undertake such a process and to initiate a local Law and Justice Group.

Members of the Law and Justice groups are generally Elders and respected community members, but they should also represent both genders because the effectiveness and legitimacy of Law and Justice Groups generally appear to depend upon the degree to which all significant interests within the community are represented.

This is obviously a challenging task to deliver in places where the history and interactions between clan groups are complex to understand and navigate in comparison to one that is much smaller, discrete and more homogenous.

Equally important is the extent of coordination, collaboration and partnering required between Law and Justice Groups and all the agencies operating within the community. By this I mean police, courts, correctional services and youth justice and all the other services that have the ability to influence the desired outcome such as child protection, health and education, and non-government agencies.

These partnerships require commitment, flexibility and cultural courage on the part of all government personnel. While Law and Justice Groups typically operate outside of formal legal authority, they can exercise de facto legal authority through the partnerships they create with judicial agencies.

Some of the comments from the consults and in the Pathways document showcase how Law and Justice Groups can mutually benefit from, and contribute powerfully to, the authority and prestige of community Elders and other important leaders.

Community Courts

Community courts for Aboriginal people have been established in most states and territories in the last thirty years.²²

²¹ Chris Cunneen, 'Conflicts Politics and Crime: Aboriginal Communities and the Police' (2001) *Allen & Unwin* 193.

²² Elena Marchetti and Kathleen Daly, 'Indigenous Courts and Justice Practices in Australia' (2004) *Trends and Issues, Australian Institute of Criminology*. No. 277.

They have had mixed success and endured vacillating government support but are generally seen as consistent with, and supportive of, more effective engagement of Aboriginal people in the justice system.²³

Within the draft NTAJA, it is expected that Community Courts would function in tandem with Law and Justice Groups.

Given that accused persons would need to opt in for a Community Court process, it is crucial that both the process and the personnel are seen as fair and not subject to partisan or inappropriate sentiment. Issues of 'conflicts of interest' will need to be carefully managed, requiring sufficient choice from possible panels for each hearing.

Again, issues of selection, training, accountability and support are paramount to achieve the most powerful benefits of Alternative Dispute Resolution in terms of buy-in and compliance from those before the Community Courts.

A further fundamental problem that Alternative Dispute Resolution shares with the mainstream justice system especially in the Northern Territory, is the lack of much-needed support services such as alternative accommodation; especially for those seeking bail, mental health services, supervision and meaningful diversion and community service options.

These gaps have been frequently identified in key Northern Territory reports, especially for youth justice. I am perplexed as to why we continue to make non-custodial directions when they are at times simply unavailable?

This question shows why those who support Alternative Dispute Resolution in the hope of just saving money by reducing rates of imprisonment may be missing the point. In the short term, Alternative Dispute Resolution is not automatically cheaper, but it is arguable that Alternative Dispute Resolution is profoundly better value for outcomes in terms of human rights and general social order and well-being.

I am not saying that alternative courts and sentencing systems are the magic solution to the problems associated with the discrimination of Aboriginal people in the justice system and the subsequent indifference and disengagement of Aboriginal people from these systems.

Instead, I am saying is that along with other models profiled in the draft Northern Territory Aboriginal Justice Agreement, alternative court and sentencing regimes have the potential to provide a positive shift in the relationship between the judiciary, Aboriginal offenders, victims and communities.

Community capacity, the willingness to engage in criminal justice decision-making processes and local management of community-based sentencing options are all pre-requisites for the success of community-based justice, and whilst not necessarily proven to lower the recidivism rate, are supported by literature due to their positive impact on engaging Aboriginal people in a culturally appropriate forum for the administration of sentences and penalties.

Most evaluation findings indicate, that when compared to the mainstream justice setting, Aboriginal sentencing courts and conferences have resulted in greater engagement and increased knowledge of, and confidence in the justice system, conference agreements and sentencing that in turn enables more informed decision-making.

²³ Thalia Anthony and Will Crawford, 'Northern Territory Indigenous Community Sentencing Mechanisms: An Order for Substantive Equality' (2013) *Australian Indigenous Law Review* 17.

So, to conclude.

Here's what I know.

We need to use Alternative Dispute Resolution in all its forms if we are to improve the levels of disadvantage for Aboriginal people.

Those who believe that ADR it is a second-rate system of backyard justice, that allows for the western legal system to be bypassed, or that it is a race-based get out of jail free card only for Aboriginal people are grossly misinformed.

But without accepting the need for local planning and authority, and the pre-requisite skills for any non-community intervention; then Alternative Dispute Resolution will have little impact, and the status quo will result in many more Aboriginal people within the justice system resulting in even higher levels of Aboriginal incarceration.

I thank you for listening and I wish you all well with the rest of the conference.

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